

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 2771

In re

Patent Application of

James Prescott Curry

Serial No. 09/449,237

Filed: November 24, 1999

Examiner: Not Yet Known

METHOD AND SYSTEM FOR PROVIDING
ON-LINE WELLNESS AND RETAIL ACCESS
THROUGH A DISTRIBUTED NETWORK

I, Teresa Thelen, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Teresa Thelen

Signature

3/20/00

Date of Signature



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INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Examiner's attention is directed to the references which are listed on the attached Form PTO-1449 and copies of which are attached. Citation of these references is respectfully requested.

Applicant is providing a printout from the web page <http://www.karchinternational.com/en/products/kisoftware/sportlogic.html>. Please note that the printout was created March 13, 2000, which is after the applicant's priority date of February 2, 1999. Applicant is disclosing that Karch International, Inc. of McLean, Virginia provided "shrink-wrap" software as described on the enclosed printout at least as early as January 1999. Applicant makes no further representations about other products or services disclosed in the web site.

Applicant is providing a printout from the web page <http://www.fitnessage.com/about.html>. Please note that the printout was created on March 14, 2000, which is after the applicant's priority date of February 2, 1999.

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Applicant is disclosing that FitnessAge of La Jolla, California provided "shrink-wrap" software as described on the enclosed printout at least as early as January 1999. Applicant makes no further representations about other products or services disclosed in the web site.

Applicant is providing a printout from the web page <http://www.microfit.com/software.html>. Please note that the printout was created on February 17, 2000, which is after the applicant's priority date of February 2, 1999. Applicant is disclosing that MicroFit, Inc. of Mountain View, CA 94043 provided "shrink-wrap" software as described on the enclosed printout at least as early as January 1999. Applicant makes no further representations about other products or services disclosed in the web site.

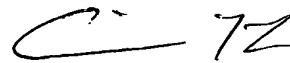
Applicant is disclosing that eDiets.com of Deerfield Beach, Florida provided a distributed network system as early at least as early as January 1999. The system obtained and stored user demographic and diet information (e.g., weight), and user-created goals (e.g., lose 10 pounds). Specifically, eDiets provided a distributed network system where a user provided initial diet information and user-created goals. The user then periodically provided subsequent diet information. The information and the user-created goals were stored on a server in a database. The user could then review the stored information as it accumulated and compare the stored information to the user-created goals.

The eDiets.com system did not, among other things, assign an access code to the user where the access code defines a level of wellness related services available to the user, and provide services to the user through the distributed network that correspond to the user's access code. The eDiets.com system did not, among other things, process a request at an on-line site to determine whether the portal was sponsored and whether the request was from an authorized user, and respond to the request based in part on whether the portal was sponsored and whether the user is authorized.

Applicant is disclosing that Technogym of Seattle, Washington, Fitlinxx of Stamford, Connecticut and Schwinn (location unknown) provided kiosks at least as early as January 1999. The kiosks were used to store user demographic and

fitness information, and user-created goals. The information and user-created goals were stored in a database in the kiosks. The user then periodically provided subsequent fitness information. Additionally, the kiosks were connected to workout machines for collecting fitness data directly from the machines (e.g., repetitions performed). The user could then review the information as it accumulated and compare the information to the user-created goals.

Respectfully submitted,



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Reg. No. 30,862

File No. 23091-9001-00

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